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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Complaint of Julio Salas and Monica Salas

No. CV-18-08019-PCT-JJT

10 As owners of the vessel “AZ 5368 BG.: and  
11 her engines, tackle, appurtenances, etc.,

**ORDER**

12 Plaintiffs-in-Limitation.

13 For Exoneration from or Limitation of  
14 Liability.

15 At issue is Plaintiffs-in-Limitation Julio Salas and Monica Salas’s Motion for  
16 Default Judgment as to all possible claimants, known or unknown, who have not filed and  
17 served their claims or answers for claims arising out of the August 6, 2017 Incident  
18 Involving the Vessel (Doc. 49). The posture of this Motion is somewhat unusual, as  
19 Plaintiffs-in-Limitation do not seek to obtain money or other damages from any possible  
20 claimants in this matter, as is traditionally the function of a default judgment. But the Court  
21 recognizes that default judgment has been awarded in similarly situated cases and will enter  
22 it here, where Plaintiffs-in-Limitation seek to limit the universe of potential claimants who  
23 may file claims in this matter. *See Tanguis v. Westchester MV*, 2003 WL 200448 at \*2  
24 (E.D. La. April 25, 2003).

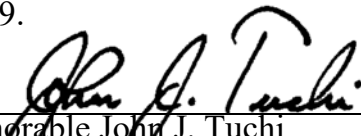
25 However, under Fed. R. Civ. P. 54(b), “when an action presents more than one claim  
26 for relief, . . . the court may direct entry of a final judgment as to one or more, but fewer  
27 than all, claims or parties only if the court expressly determines that there is no just reason  
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1 for delay.” Here, Plaintiffs-in-Limitation do not attempt to demonstrate there is no just  
2 reason for delay of entry of a partial final judgment, nor does the Court so find.

3 **IT IS THEREFORE ORDERED** granting in part Plaintiffs-in-Limitations’  
4 Motion for Default Judgment as to all possible claimants, known or unknown, who have  
5 not filed and served their claims or answers for claims arising out of the August 6, 2017  
6 Incident Involving the Vessel (Doc. 49).

7 **IT IS FURTHER ORDERED** that Plaintiffs-in-Limitation Julio Salas and Monica  
8 Salas will be entitled to judgment as against all claimants, known and unknown, who have  
9 not filed their claim or otherwise appeared in this action, except to the extent that such  
10 claimant(s) can demonstrate good cause for the Court to set aside the default judgment  
11 under Fed. R. Civ. P. 55(c) and 60(b).

12 Dated this 16th day of August, 2019.

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14 Honorable John J. Tuchi  
15 United States District Judge  
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